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Remarks/Arguments

Claims 40-43, 47, and 49-69 are pending in the application. For at least the reasons stated below, Applicant asserts that all claims are now in condition for allowance.

1. The references fail to teach all of the limitations of the independent claim.

The Examiner rejects claim 40 and 70 under 35 USA 103(a) as being unpatentable over Chelliah (5,710,887), in view of Inland Revenue Agency ("IRA"), further in view of Tax Forms ("TForms").

In the previous Response, Applicant argued that the Examiner was incorrect in his citation to a portion of Chelliah (specifically column 9, line 64 through column 10, line 2 as well as column 12, lines 34-42) for holding that it anticipates claim 40's (i)th element, which requires "customizing the user interface to determine which government agencies with which to communicate". For ease of reference, these two portions of Chelliah are as follows:

"The Participant Program Object 112 contains information that identifies the participant 12, and additional information about the participant, for example, the participant's name, address, privacy controls, demographic data, and methods available to the participant for payment." (column 9, line 64 through column 10, line 2)

A Customer/Participant 12 enters an electronic storefront 14 and is presented with the store's Product Database 116 in connection with in-store sales, presented by the Sales Representative 114 together with an Incentives Subsystem 160 and narrowcast advertising targeted at the Customer through a Promotions Subsystem 162 based on the Customer's demographics or purchasing habits as defined by a Participant Subsystem 164 and Customer Accounts Subsystem 117." (column 12, lines 34-42)

In the current Office Action, the Examiner maintains his rejection of claim 40 and maintains that the limitation "customizing the user interface to determine which government agencies with which to communicate" is taught by these two short sections in Chelliah. Specifically, the Examiner asserts that these two sections show that "Chelliah does not teach presenting In Storefront 2 of Provider 2 to the customer the exact information shown in Storefront 1 of

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Provider 1". The Examiner asserts that since Chelliah doesn't teach showing the same information to the user for both storefronts it "thereby is sufficient in addressing the Applicant's argument."

To recap, Applicant's argument was that Chelliah doesn't teach each of the elements of claim 40 and therefore does not form a proper prima facie case of anticipation. In response to this argument, the Examiner now asserts that since Chelliah doesn't teach the opposite of element (i)¹ then Chelliah must be sufficient to teach element (i). This is specious reasoning – a reference that does not teach away from an element does not mean that it actually teaches the element.

Element (i) of claim 40 requires "customizing the user interface to determine which government agencies with which to communicate". Applicant continues to assert that Chelliah does not teach a user interface that is customized by the system depending on which storefront/agency is being addressed. Chelliah specifically states that it does not offer any type of storefront customization. Chelliah states: "The Electronic Storefront, which is analogous to a physical store's physical layout, is the graphical user interface presented to a customer browsing that store. ... It is anticipated that stores will want to use their own proprietary Electronic Storefronts, so the [Chelliah] architecture provides an interface to be used by an existing Electronic Storefront rather than providing the Electronic Storefront itself." (Column 7, lines 46-57). As at least element (i) is not taught by Chelliah, Applicant requests that the rejection to the independent claim be withdrawn.

2. Conclusion

Applicant submits that for at least the above-identified reasons, all pending claims are allowable over the art of record and respectfully requests that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7508. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to

¹ i.e., since Chelliah doesn't explicitly teach showing the same view for both Storefront 1 and Storefront 2

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charge such fees including fees for any extension of time, to Deposit Account No. 50-1901
(Docket 60021-305107).

Respectfully submitted,



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